

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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CAREY SMITH,

Plaintiff,

-versus-

**THE STATE OF NEW YORK;
NEW YORK STATE CORRECTIONS
OFFICER (“CO”) KYLE KENNEDY;
CO JOHN CRANCE; and
JOHN AND JANE DOE NEW YORK
STATE AGENTS NOS. 1-10,
individually and in their official capacities,**

Defendants.

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**NOTICE OF MOTION
FOR LEAVE TO AMEND
THE COMPLAINT PURSUANT
TO FED.R.CIV.P 15
AND TO FILE UNDER SEAL**

INDEX NO. 6:18-cv-06658

ECF CASE

PLEASE TAKE NOTICE that upon the accompanying Declaration of Moira Meltzer-Cohen dated November 12, 2020, the exhibits attached thereto, and Memorandum of Law in Support of Plaintiff’s Motion for Leave to File an Amended Complaint Under Seal, plaintiff will move this Court, pursuant to Rule 15 of the Federal Rules of Civil Procedure, and for other and further relief as the Court may deem just and proper.

Plaintiff requests the opportunity to reply to any opposition papers Defendants may file.

Dated: November 12, 2020
New York, New York

Respectfully submitted,

_____/S/_____
Moira Meltzer-Cohen
Attorney for Plaintiff
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